From the Director’s Desk
Stephen Schneller
Director
San Francisco Office of Public Housing

Summer this year will be a busy time for HUD and housing authorities. Our time at HUD will be spent primarily on two funding issues: ARRA funding for the Low Rent Public Housing programs; and HAP funding for the Section 8 Voucher program. Both of these have required aggressive and tireless activity to coordinate the volume of processing, monitoring, coordinating, and analyzing by our HUD team.

Together we will be successful during this busy time. We thank you for the work you do to support and advocate for the housing needs of families in California and Nevada.

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THE YEAR OF COMMUNITY LIVING

June 22, 2009 On the 10th anniversary of the landmark Supreme Court decision in the case of Olmstead v. L.C., President Barack Obama today celebrated that anniversary and launched “The Year of Community Living.”

The President has directed the Health & Human Services (HHS) Secretary and the Secretary of Housing & Urban Development (HUD) to work together to identify ways to improve access to housing, community supports and independent living arrangements for people with disabilities.

HUD TO OFFER HOUSING ASSISTANCE TO 4,000 AMERICANS WITH DISABILITIES

Agency seeking comment on how to allocate vouchers to support independent living

WASHINGTON – HUD today joined President Obama’s commemoration of the tenth anniversary of the Supreme Court’s Olmstead decision by announcing that it will offer rental assistance to 4,000 non-elderly families with disabilities, including 1,000 vouchers specifically targeted to those transitioning out of nursing homes and other care facilities. Through its funding notice, HUD is seeking comment from public housing authorities and others to ensure this critically needed assistance is distributed and administered in the most effective manner possible.

HUD Fiscal Year 2010 Budget

Key features of the budget related to public housing:

Section 8 Project-Based Contract Funding
The budget includes $8.1 billion for Section 8 project-based contracts, including renewal of all expiring Section 8 contracts; this amount represents an increase of $1 billion over the FY 2008 appropriations level. The budget presentation states that “HUD believes strongly that annual renewal funding should be predictable, timely and sufficient to fund rental contracts for a full 12 months, in contrast to the short funding of contracts in recent years.”

Continued on Page 2
HOPE VI/Choice Neighborhoods Initiative

The budget eliminates HUD's HOPE VI program, and in its place proposes a new $250 million program called the Choice Neighborhoods Initiative, which would provide resources for neighborhood transformation with an emphasis on linking housing development with school reform. Over the past 15 years, HOPE VI has provided $6.1 billion of funding for the demolition of approximately 96,000 public housing units and production of approximately 108,000 new or renovated housing units. The Choice Neighborhoods Initiative would provide funds for transformation of assisted housing, acquisition and renovation of unsubsidized, privately owned stock, and construction of mixed-income housing, in addition to public housing transformation.

Housing Choice Vouchers

The budget requests $17.84 billion for vouchers, representing an increase of approximately $1.77 billion over the levels provided in the FY 2009 appropriations act and enabling HUD to assist 116,000 more families than under the FY 2008 appropriations.

Section 202/Section 811

The budget proposes funding of $765 million and $250 million for the Section 202 elderly housing and Section 811 housing for persons with disabilities programs respectively, the same levels as provided in the FY 2009 appropriations act.

Public Housing Operating Funds

HUD requests $4.6 billion for the Public Housing Operating Fund; the budget notes that for the first time since 2002, the request will provide 100 percent of funding for operating subsidies, as calculated by a formula devised through negotiated rule making.

SANDRA HENRIQUEZ SWORN IN AS ASSISTANT SECRETARY FOR HUD'S OFFICE OF PUBLIC AND INDIAN HOUSING

WASHINGTON - Sandra Brooks Henriquez was sworn in as the Assistant Secretary for the Office of Public and Indian Housing (PIH) at HUD. Ms. Henriquez will oversee the nation's public housing and rental assistance programs that assist approximately 3.2 million low-income families across the U.S. She will also be responsible for HUD's Native American and Native Hawaiian programs, which serves 562 federally recognized tribes.

For the past 13 years, Ms. Henriquez has been the Administrator and Chief Executive Officer of the Boston Housing Authority (BHA), one of the nation’s largest public housing authorities. Ms. Henriquez's guidance made BHA one of the leaders among housing authorities for redeveloping old public housing developments into thriving mixed-income communities using HUD's HOPE VI Revitalization program. She also created housing strategies and programs to help the homeless and introduced green principles into BHA business practices and building maintenance and construction. She also used Energy Performance Contracting to retrofit the housing authority's outdated heating plants, making them state-of-the-art, more efficient and less costly to operate, which created better living environments for residents.

"Sandy is the right person to lead our public housing transformation efforts," stated Secretary Shaun Donovan. "The public and private collaboration and partnership efforts she led in Boston are a critical part of the new vision for HUD."
RON SIMS SWORN IN AS HUD'S DEPUTY SECRETARY

WASHINGTON - Ron Sims was sworn in today as the Deputy Secretary of HUD. Mr. Sims was unanimously confirmed by the U.S. Senate. As the second most senior official at HUD, Sims will be charged with managing the Department's day-to-day operations, a nearly $39 billion annual operating budget, and the agency's 8,500 employees.

"President Obama, Secretary Donovan, and Congress have all voiced a clear expectation that HUD can and must now step up to unprecedented levels of leadership in America's national recovery," said Sims. "I am ready to help Secretary Donovan to bring transformational change to HUD. This organization must work - and it must serve not simply as a pass-fail bureaucracy. It must be a creative engine of ideas, actions and tools - in which employees, partners and our customers are empowered to implement a shared vision of the future."

PIH 2009-19 (HA)
Issued: June 30, 2009
Expires: June 30, 2010

Income exclusion under temporary employment by U.S. Census Bureau

This Notice extends Notice PIH 2008-26 (HA), same subject, which expires on June 30, 2009; for another year until June 30, 2010. Notice 2008-26 clarifies the exclusion of temporary employment payments by the U.S Census Bureau pursuant to 24 CFR 5.609(c) (9).

This summer, President Obama is calling on all of us - young and old, from every background, all across this country - to participate in our nation’s recovery and renewal by serving in our communities.

From June 22 to September 11, United We Serve will begin to engage Americans from coast to coast in addressing community needs in education, health, energy and the environment, and community renewal.

Remember it's time to serve our communities
Serve OR Learn more.

AUDITS
Independent Public Account Audits (IPA)


Public housing agencies (PHAs) with fiscal years ending 6/30/08 and 9/30/08, including Section 8 only PHAs, will utilize the audited Financial Data Schedule (FDS) Tool in lieu of inputting financial data directly into the Financial Assessment Subsystem (FASS) on-line system. PHAs may submit the FDS Tool beginning April 27, 2009 for audited financial submissions, using the FASS on-line system as an entryway. Specific audited submission due dates will be posted shortly.

Please refer to the Special Instructions on the website for using the audited FDS Tool.

PHAs with fiscal years ending 12/31/08 and 3/31/2009, including Section 8 only PHAs, will revert back to using the FDS contained in the on-line system in lieu of utilizing the audited FDS Tool. A FASS computer system release is planned for October 2009 that will include the necessary functionality for entering FDS information on-line.

For PHAs that may need to issue their audited financial statements for purposes other than for filing with HUD (for example, to meet Single Audit or state statutory filing deadlines), they may do so. The PHA auditor will need to perform necessary audit procedures in order to issue a separate SAS 29 opinion on the FDS. Consequently, the separate auditor's opinion on the FDS may carry a later date than that of the auditor's report on the basic financial statements. Information for complying with the required SAS No. 29, Reporting on Information Accompanying the Basic Financial Statements in Auditor-Submitted Documents, "in relation to" reporting (SAS 29 opinion) on the FDS can be found on the following link: http://www.hud.gov/offices/reac/products/prodpha.cfm

Happy Independence Day!
ASSET MANAGEMENT

HUD’s Asset Management Newsletter is an excellent tool for keeping public housing authorities updated with current information. The newsletter provides shared experiences of housing authorities who have successfully implemented asset management. In the May issue, the Knoxville Community Development Corporation shares its analyses in determining whether or not to outsource various tasks.

The newsletter is an excellent resource for implementing and maintaining the asset management process. Each issue contains a question and answer section, Asset Management Help Desk.

Upcoming Dates on the Asset Management Calendar
- June 30, 2009: Unaudited financial statements due to FASS-PH for PHAs with fiscal years ending 3/31/09.

The is another useful tool on HUD’s website. You will find the latest information here. Always check out the What’s New box. The following is currently available:

- Obligation Letters May 2009
- Public Housing Asset Management Conferences
- Operating Subsidy Calculation for Mixed Finance Projects Briefing
- Updated Downloadable PowerPoint
- Additional playback instructions

Asset Management Help Desk – Questions and Answers

The Asset Management Help Desk has a new phone number and e-mail address! The new phone number is 1-800-955-2232 and the new email address is assetmanagement@deval.us Please use this phone number and email address to send inquiries regarding asset management.

Using the General Operating Account

Q We have a general operating account for our public housing and Section 8 programs. Can this account be used to fund, say, public housing activities for amounts in excess of what’s on deposit for public housing, provided the “due to” from the Section 8 program is replenished?

A No. While PHAs typically maintain a general operating account for all of their programs, into which funds are deposited, a PHA may not draw down from that account more than what they have in deposit for that particular program, even in the case of “temporary” loans.

Depreciation and the Operating Budget

Q In preparing our operating budgets for the upcoming fiscal year, are we required to include items of a capital nature that are funded through the Capital Fund Program? Also, how should we handle depreciation?

A There is no requirement that the operating budget include capitalized work funded through the Capital Fund Program. Generally, operating budgets are restricted to operating revenues and operating expenses. Similarly, there is no requirement for a PHA to include depreciation in an operating budget. Usually, depreciation is accounted for in year-end financial statements, but not operating budgets.

Fee for Service

Q My agency has decided to use a “fee-for-service” approach for some HVAC work (we have a particularly skilled mechanic who is familiar with our systems). Where will those costs appear on the project’s income statement?

A Essentially, if the Central Office Cost Center (COCC) performs fee-for-service maintenance work, the work will be treated as a third-party contract. In this case, the work performed will appear on the FDS line item no. 94300-020, Ordinary Maintenance and Operations Contracts – Heating and Cooling Contracts.

HUD Issues Notice on Updated Proration Estimate for Calendar Year (CY) 2009 – Public Housing Operating Fund Program

Under the Operating Fund Program, public housing agencies (PHAs) are provided with operating subsidies to fund the operation and management of public housing.

When overall subsidy eligibility exceeds appropriations, funds are “prorated.” The prorated amount is calculated by dividing the appropriated funds by subsidy eligibility, as shown below:

\[
\text{appropriation / subsidy eligibility} = \text{proration}
\]

For example, in CY 2008, the Congress appropriated $4.2 billion for the Operating Fund Program. Subsidy eligibility in CY 2008 was $4.7 billion, resulting in proration of 88.96%.

In December 2008, the Department estimated that CY2009 proration would be 88%. The revised proration estimate, 88.4%, reflects actual 2009 PHA subsidy submissions and enacted 2009 appropriations.

\[
\begin{align*}
\text{Appropriation:} & \quad \$4,449,060,000 \\
\text{Divided by} & \\
\text{Approved subsidy eligibility:} & \quad \$5,030,155,025 \\
\text{Equals:} & \quad 88.4% \\
\end{align*}
\]

For a detailed explanation, Ctrl & Click here.
SUMMARY: On May 7, 2009, HUD posted on its website its Notice of Funding Availability (NOFA) for HUD’s American Recovery and Reinvestment Act Capital Fund Recovery Competition (CFRC) Grants. Through this document, HUD announces that it has posted on its website a revised NOFA that corrects, changes, and clarifies a number of criteria established in the document posted on May 7, 2009. The corrections, changes, and clarifications to the NOFA include, among other items, the following: adding threshold funding caps in Categories 1, 2 and 3 for public housing agencies (PHAs) designated as High Performers; adding a rating factor on High Performer status to Category 4; amending the Capacity threshold requirement relating to the Capital Fund; clarifying the threshold requirement of Category 2, Public Housing Transformation, that deals with the census tract and the concentration of poverty; adding definitions of leverage and match and adding tie-breaking criteria based on leverage and match; amending the leverage ratio criteria in Category 1 required for Round 1 consideration; amending the Category 3 threshold requirement to require that any demolition and/or disposition applications had to be submitted to HUD no later than the date of the publication of the revised NOFA; and clarifying certain other Category 4 rating factors and funding limits. Please see the revised NOFA document for all the corrections, changes, and clarifications made. To permit applicants time to prepare applications that take into account these and other changes incorporated in the revised NOFA, HUD is revising the application deadline dates for each funding category: For Threshold-Based applications (Categories, 1, 2 and 3), the Department will assign the first Ordinal on July 6, 2009; but will begin accepting applications on June 22, 2009. For Rated and Ranked applications (Category 4), the deadline date for applications is July 29, 2009, but HUD will begin accepting applications on June 22, 2009. The NOFA which reflects these changes, corrections and clarifications is available on the HUD Web site at: http://www.hud.gov/recovery (which connects to the Office of Capital Improvements Web site, http://www.hud.gov/offices/pih/programs/ph/capfund/ocir.cfm

FOR FURTHER INFORMATION CONTACT: If you have a question or need a clarification, you may contact the Office of Capital Improvements by sending an email message to IHOCI@hud.gov. Please see http://www.hud.gov/offices/pih/programs/ph/capfund/ocir.cfm, which can be accessed from http://www.hud.gov/recovery/, for additional information.

Dominique G. Blom  
Deputy Assistant Secretary for Public Housing  
Dated: June 3, 2009.

Office of Capital Improvements Recovery Act Information
HUD publishes revised NOFA superseding May 7, 2009 NOFA

- Revised Notice of Funding Availability (NOFA)
- Recovery Act Competition Application Kit Map

The Department has just issued a revised Capital Fund Recovery Competition (CFRC) NOFA that supersedes the NOFA published on May 7, 2009. The revised NOFA includes a number of changes. The Department is posting both the revised NOFA and a version of the revised NOFA that highlights the changes between the NOFA published on May 7 and the revised NOFA (NOFA Highlighting Changes).

Schedule: The revised NOFA contains a modified schedule:

For Threshold-Based applications (Categories, 1, 2 and 3):
- The first Ordinal will be assigned on July 6, 2009
- Applicants can start submitting as early as June 22, 2009
- The last day to submit applications is August 18, 2009
- Round 1 is July 6 - July 31
- Round 2 is August 1 - August 18

For Rated and Ranked applications (Category 4):
- Applications are due July 21, 2009 (no change)
- Applicants can start submitting as early as June 22, 2009

What’s Hot!
- Recovery Act Competition Application Kit Map
- HUD Publishes NOFA making $995 million in Recovery Act funding available to PHAs
- PHAS High Performer List for Capital Fund Recovery Competition NOFA (MS-Excel)

Related Information
- Capital Fund Recovery Competition (CFRC) NOFA Q&A #3 (June 25, 2009)
- Capital Fund Recovery Competition (CFRC) NOFA Q&A #2 (June 4, 2009)
- Capital Fund Recovery Competition (CFRC) NOFA Q&A #1 (May 15, 2009)
- Recovery Act Capital Fund Formula Grant Frequently Asked Questions #2 (May 15, 2009)

If you have a question or need a clarification, you may contact the Office of Capital Improvements by sending an email message to PIHOCI@hud.gov
Enterprise Income Verification (EIV) System

Attention! Next EIV User re-certification is due by July 30, 2009. If not access will be terminated at 12:00 a.m., Eastern Standard Time 7/31/2009. All PHA User Administrators are encouraged to begin this process starting July 1.

Subscribe to the PIH RHIIP mailing list to receive the latest and greatest on EIV, program guidance and tips. To subscribe, go to: http://www.hud.gov/subscribe/mailinglist.cfm, double-click on the PIH-RHIIP link and follow the instructions. We recommend that you reply to the confirmation email by typing OK (rather than using the url link - sometimes it does not work).

Send all PIH RHIIP/EIV inquiries to PIH.RHIIP.TA@HUD.GOV, with a copy to your local HUD office. Thank you for your cooperation.

Latest EIV News

New release of EIV will be rolled out September 28, 2009**, and include the following:

1. National repository of debts owed to PHAs and terminations
   a. Allows PHAs to enter debt owed to PHA upon termination
   b. Allows PHAs to enter adverse terminations
   c. Allows PHAs to search and identify former tenants of the Public Housing or Section 8 program who owe a debt to another PHA (nationwide) and/or was adversely terminated. This will help PHAs during applicant screening process.

2. Enhanced Multiple Subsidy Report to improve readability

3. MTW PHAs will be able to access data for tenants reflected on a form HUD-50058 dated within the last 3 years (rather than the last 15 months)

4. Enhanced Identity Verification Report to identify households and household member who have not passed the HUD or SSA identity verification process

5. The Social Security Benefit information section of the household Income Report will now include the date EIV received the information from SSA

6. Enhanced Deceased Tenants Report to include date death information was received by SSA.

7. Link within EIV to Homeland Security’s System Alien Verification for Entitlements (SAVE)

8. New Immigration Report to provide statistics and identify households who have a PIC-assigned alt ID, citizenship status

9. Link within EIV to return to the EIV Announcement Page without logging off and back on

** Date subject to change.
EIV Tip: New Hires Report

The New Hires Report identifies individuals who has been hired (as reported by the employer) within the last six (6) months of the report run date. If your agency requires families to report changes in family income in between annual reexams and your agency adjusts the family’s rent contribution, you can benefit greatly by using the New Hires Report on a monthly basis.

New Hires information is updated every month for every household. Simply double click on the New Hires Report link from the left navigational panel in the EIV system. You are encouraged to select all reexamination months so that you can identify each household that contains an adult household member who has started a new job. The Summary Report will display a listing of families in which at least one household member (age 18 and over) has started a new job within the last six months of the report run date. You can download this information into an Excel file and use this file as a source file for mail merge letters to notify the family of the need to contact you for an interim. (See the attached sample letter)

When you click on the Details Report tab, the detailed employment information is displayed for each household member. Note that the report displays all New Hires information available for the family, not just the New Hires information within the last six months. The New Hires information is also available on each household’s EIV Income Report.

Benefits of the New Hires Report:

- Reduces the need for traditional third party verification
  - If tenant does not dispute New Hires information in EIV, simply request the tenant to provide you with documentation (you determine acceptable) to determine new income and rent. For example, if EIV indicates that Ms. Smith began employment with Home Depot on April 24, 2009, simply ask Ms. Smith to provide you with current pay stubs or employment confirmation letter (which specifies rate of pay, number of hours worked each week and pay frequency). EIV supplemented with such documentation reduces your administrative burden and is acceptable.
- Proactive outreach to families to educate them on program requirements and their responsibilities
- Improves the accuracy of income and rent determinations
- Deters under reporting of family income
- Reduces retroactive tenant rent calculations and payments.

If you require further assistance or guidance with the New Hires Report, email PIH.RHIIP.TA@HUD.GOV with a copy to your local HUD office. Please include your PHA Code (i.e. CA999 or NV999).

EIV Training and Technical Assistance

Initiatives

PIH will provide technical assistance and program support with income verification and rent calculations. The technical assistance will also assist HUD in determining and addressing the root causes of income calculation errors and improper payments in the administration of PIH programs.

PIH Headquarters has developed three new initiatives that will:

1. Provide PHAs with technical assistance to reduce improper payments;
2. Ensure that the right benefits go to the right people;
3. Improve the integrity of data collected and reported in PIC;
4. Reduce the occurrence of tenant under reporting of income

Operation D.I.R.E.S (Deceased Individuals Receiving Erroneous Subsidies)

The purpose of this initiative is to reduce the occurrence of providing housing assistance to deceased tenants by using the Deceased Tenants Report in the Enterprise Income Verification (EIV) system. This report will help PHAs to identify households with deceased tenants and encourage the PHA to follow-up with the family to ensure correct household composition, as well as correct rental assistance for which the family is eligible. Read HUD’s letter sent to all PHA Executive Directors on January 7, 2008.

Operation C.I.T.I. (Correcting Incorrect Tenant Identifiers)

The purpose of this initiative is to reduce the number of incorrect tenant personal identifiers (surname, date of birth and social security number) by using the Failed Verification and Deceased Tenants Report in the EIV system. This report will help PHAs to identify household members whose identity can not be verified by the Social Security Administration due to an incorrect
or combination of incorrect personal identifiers, and encourage the PHA to follow-up with the family to ensure accurate personal identifiers are reported to HUD. Correct personal identifiers enable the PHA to obtain employment and income information about each individual from the EIV system.

**Operation R.I.D. (Resolving Income Discrepancies)**

The purpose of this initiative is to reduce the occurrence of tenant under reporting of income by tenants and encourage tenants to make full disclosure of income by using the Income Discrepancy Report. This report helps to alert PHAs of potential tenant under reporting of income in the past 12 months of the last interim or annual reexamination of family income. Resolving income discrepancies has many benefits, such as improving the integrity of tenant reported income, reduces improper subsidy payments, may increase the number of families that can participate in the Housing Choice Voucher (HCV) program, and ensures that limited Federal dollars serve as many families possible.

**Just in...**

**On September 14, 2009 the Office of Public and Indian Housing will provide** program administrators of the Public Housing (PH) and Housing Choice Voucher (HCV) programs, HUD staff and other interested stakeholders and business partners with the following Rental Housing Integrity Improvement Project (RHIIP) training opportunity, via webcast and live classroom training session in Washington, DC: PIH Enterprise Income Verification (EIV)

**System Update**

**Guidance on the Refinement of Income & Rent Rule Training Session**

**Agenda**

Training materials will be posted the morning of the training session at the following HUD websites:


**Training Objective:** Provide guidance on new EIV system functions which will become available on 09/14/09; and provide clarifying guidance on the Refinement of Income and Rent Rule (effective 09/30/09), to assist PHAs with successful implementation of new HUD requirements

**Targeted Audience:** Program Administrators of the Public Housing (PH) and Housing Choice Voucher (HCV) programs, HUD staff, and PH & HCV tenants

- Registration not required to view via webcast
- Registration information for "live session" will be posted to website on 08/17/09
- Certificate of Completion (for HUD & PHA staff) will be provided by HUD

**Cost:** $0  **Trainer:** Nicole Faison

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**HUD ENVIRONMENTAL TRAINING**

Where: San Francisco Regional Office
600 Harrison Street, San Francisco
Dates: August 10-12, 2009
Registration by July 24, 2009
Audience: NSPA, CDBG, HOME, ESG, and Public Housing grantees

Focus of the training is to assist those who prepare Environmental Review Records, e.g., planning staff, program staff, environmental coordinators, consultants or interested others.

The course will being with a survey of current HUD/NEPA environmental regulations and proceed to specific topics including historic preservation, noise, toxic substances, flood plain management, endangered species, etc. Representatives from State and Federal environmental oversight agencies will make presentations in their areas of expertise. Updated environmental regulations, guidance and recommended formats will be distributed to conference participants.

To register, please refer to HUD Information Bulletin CPD 09-06 dated June 19, 2009

**Energy Performance Contracts (EPCs).**

**PIH 2009-16 (HA)**

Issued: June 12, 2009; Expires: June 30, 2010

This Notice serves to reinstate and update the content of **PIH Notice 2008-22** and provide supplementary guidance regarding retained surcharge savings, approval processing for terms up to 20 years, and the applicability of small purchase procedures for Energy Performance Contracts (EPCs).
A Success Story . . .

Mixed-Use Development Breaks Ground on West Capitol Avenue

On Friday, June 19, 2009, Sacramento Field Office Director, Cynthia L. Abbott represented our office and joined West Sacramento Mayor Christopher Cabaldon, Councilmember Oscar Villegas, USA Properties Fund CEO Geoff Brown, and Pacific West Communities CEO Caleb Roope in turning over the dirt to break ground for the Parkside at City Center development.

Parkside at City Center is a mixed-use development that will include 62 units of affordable housing, a community building, and a 1,600 square foot retail space. The West Sacramento Redevelopment Agency provided a $5.5 million gap financing loan to the project which included a $1 million HUD-funded HOPE VI Main Street grant – one of three awarded in the nation. This is the first HOPE VI Main Street property to break ground.

Another Success Story . . .

Tax Credits and Affordable Housing

The Otto Merida Desert Villas is a Low-Income Housing Tax Credit (LIHTC) Development. Under the LIHTC program, credits are distributed to the States on a per capita basis. Individual states determine how the credits are allocated based on a plan adopted by a state’s housing agency. Qualified new construction and substantial rehabilitation projects are eligible for either a 9% or 4% tax credit. Based on eligible project costs each year for 10 years, Otto Merida Desert Villas is a 9% tax Credit project.

The LIHTC program can be leveraged with private capital to finance new construction or for the acquisition and rehabilitation of existing affordable housing. The tax credit enables properties to be operated at below market rents and produce competitive returns that attract investment.

One more Success Story . . .

First Homeownership Program for Middle Income Families - Using the Neighborhood Stabilization Program

David Morton, the Executive Director of the Reno Housing Authority (RHA), and his staff have been incredibly busy over the past six months purchasing and rehabilitating foreclosed properties. In December 2008, RHA signed an Interlocal Agreement with the City of Reno to administer a HUD Economic Development Initiative Special Purpose Grant of $588,000 in Northeast Reno to improve a low-income neighborhood with a history of criminal and drug activity. The homes purchased in this area are being rehabilitated and sold through an innovative rent-to-own program to low income homebuyers.

HOME Consortium, which includes Washoe County, the City of Reno, and the City of Sparks, to administer $4.2 million in Neighborhood Stabilization Program (NSP) funds. This will be used over an 18 month period to purchase foreclosed properties for both rental to low-income families and re-sale to moderate income families. Three target areas hard hit by foreclosures have been established under the NSP, one in Reno, one in Sparks, and one in Washoe County. Many of the homes are newer and in very good condition. All of the houses are being bought in these areas through the National Community Stabilization Trust, a non-profit organization established to act as a clearinghouse for banks to sell properties to local governments. Executive Director Morton is complimentary of the role the Trust is playing and encourages other communities to utilize this free resource.

In addition, the City of Reno, City of Sparks, and Washoe County have all designated RHA to act on their behalf in purchasing FHA foreclosed properties in their jurisdictions under the HUD $1 Good Neighbor Program. A number of properties are being made available through this program, essentially for closing costs, to RHA to operate as rental housing.
From the Office of Healthy Homes and Lead Hazard Control

HUD Announces $4M in Funding Under FY 2009 NOFA for Healthy Homes Technical Studies.

Cooperative agreements will fund technical studies to improve existing methods for detecting and controlling housing-related health and safety hazards, to develop new methods to detect and control these hazards, and to improve our knowledge of housing-related health and safety hazards.


The application deadline is 5:00 PM eastern time August 18, 2009. The application must be received prior to the application due date and time.


The Office of Public and Indian Housing updated its lead regulatory guidance to field staff by issuing guidance describing how lead safety is addressed in all of its programs, and by issuing a lead compliance toolkit for the Housing Choice Voucher Program. Both documents are on a single PIH Guidance Web page in the Guidebooks section of HUDclips.

HUD Announces $117M in Funding Under FY 2009 NOFA to Reduce Lead-Based Paint Hazards

Approximately $69 million for the Lead-Based Paint Hazard Control Grant Program and $48 million is available for the Lead Hazard Reduction Demonstration Grant Program.

Purpose

The Lead-Based Paint Hazard Control Grant Program and Lead Hazard Reduction Demonstration Grant Programs assist states, Native American Tribes, cities, counties/parishes, or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately owned rental or owner-occupied housing.

Type of Assistance

Funds made available under this program are awarded competitively on an annual basis through a selection process conducted by HUD.

Available Funds

Approximately $69 million is available for the Lead-Based Paint Hazard Control Grant Program and $48 million is available for the Lead Hazard Reduction Demonstration Grant Program.

Eligible Applicants

To be eligible to apply for funding under the Lead-Based Paint Hazard Control (LBPHC) Grant Program or the Lead Hazard Reduction Demonstration (LHRD) Grant Program, you, the applicant, must be a Native American Tribe, state, city, county/parish, or other unit of local government. Multiple units of a local government (or multiple local governments) may apply as a consortium; however, a primary (lead) applicant must be identified that will be responsible for ensuring compliance with all requirements specified in this NOFA. State government and Native American tribal applicants must have an Environmental Protection Agency (EPA) authorized lead-based paint training and certification program.

Rating Factors

There are five rating factors that will be used to evaluate and rate your application. They are:

- Capacity of the Applicant and Relevant Organizational Experience
- Need and Extent of the Problem
- Soundness of Approach
- Leveraging Resources
- Achieving Program Results and Evaluation

Please refer to the NOFA for further clarification.

Application Process

Applicants must submit their application by MAIL. The address is provided in the NOFA. The www.eGrants.gov application system will not be used for the Notice of Funding Announcement.

If you have questions, you may contact:

For programmatic questions: Bill Nellis, 202-402-7686, William.C.Nellis@hud.gov.

Dept of Energy (DOE) and HUD Seek Your Input - HUD and DOE Partner to Streamline the Weatherization Process

DOE is publishing a notice of Proposed Rulemaking in the Federal Register that is intended to reduce the review and verification burden related to income verification, rent increases and property enhancement criteria under the Weatherization Assistance Program for certain properties identified by HUD. The notice of Proposed Rulemaking provides for a 30-day comment period. To read the Proposed Rule and offer comments, please visit the Federal Rulemaking Portal at www.regulations.Gov and follow the instructions for submitting comments. Comments should reference the regulatory information number (RIN) 1904–AB97. Comments are due by July 6, 2009.
The Proposed Rule focuses on the weatherization and retrofit of the following properties: (1) Public housing; (2) Project-based Section 8 assisted housing, Section 202 Supportive Housing for the Elderly, Section 811 Supportive Housing for Persons with Disabilities; and (3) Certain Low Income Housing Tax Credit (LIHTC) properties.

These properties are collectively defined as “HUD Qualified Assisted Housing” in the Proposed Rule. Section 221(d) 3 and d (5), and Section 236 Below Market Interest Rate properties without project-based assistance are not addressed by the Proposed Rule. Section 8 tenant-based rental vouchers are also not addressed.

The Proposed Rule, if made final, would eliminate duplicative income verification requirements for residents of public housing, qualified assisted housing, and LIHTC projects. To be eligible for weatherization assistance, a unit must be occupied by a family whose income is below 200 percent of the federal poverty level; at least 66 percent of the units in multifamily buildings (50 percent for properties with fewer than 5 units) must be occupied by families who fall below this income threshold.

Under the Proposed Rule, states would be able to accept HUD’s annual verification procedures for resident incomes in public and assisted housing, as well as income verification procedures in LIHTC properties, as evidence of their eligibility for the weatherization program. HUD would provide a listing, to be posted on DOE’s web site, of all properties where at least 66 percent of the residents have income below the DOE income threshold (50 percent of the residents for smaller properties). The presence of a property on this list would provide automatic eligibility for weatherization assistance.

The Proposed Rule, if made final, would not require states or local Weatherization agencies (LWAs) to provide weatherization funds to income-qualified public housing, assisted housing, or LIHTC properties. The state and/or the LWA retain the authority to set priorities for the use of weatherization funds. The Proposed Rule simply would eliminate key barriers that have historically constrained or prevented states and their local weatherization agencies in utilizing weatherization funds in multifamily buildings. Under the procedures outlined in the Proposed Rule, HUD would provide a list of income eligible HUD Qualified Assisted Housing projects and LIHTC properties that, based on HUD data, would meet the income eligibility requirements under the Weatherization Assistance Program.

This list would be posted on DOE’s web site. Note that appearance on the list simply would mean that the building is income-eligible for the weatherization assistance program; it does not mean that the building automatically qualifies for weatherization assistance. Funding for individual projects will be a function of state or local weatherization priorities, and funding availability.

**HOUSING CHOICE VOUCHERS**

**DISABILITY**

- In an effort to help support independent living for disabled persons, HUD will offer rental assistance to 4,000 non-elderly families with disabilities, including 1,000 vouchers specifically targeted to those transitioning out of nursing homes and other care facilities. Through its funding notice, HUD is seeking comment from public housing authorities and others to ensure this critically needed assistance is distributed and administered in the most effective manner possible.

HUD’s [Notice of Funding Availability (NOFA)](https://www.hud.gov/offices/hsg/pbd/mfp/notice) will make $30 million in voucher assistance available to support approximately 4,000 Housing Choice Vouchers for non-elderly disabled families. HUD is making a 1,000 of those vouchers available specifically for individuals transitioning out of nursing homes and other institutions. These vouchers directly support a $1.75 billion initiative of the U.S. Department of Health and Human Services (HHS) to help persons who reside in health care settings move to community-based living. While HHS’ [Money Follows the Person (MFP)](https://www.hhs.gov) program offers health care, case management and other services to qualified families, it does not include funding for housing. HUD’s funding initiative is designed to fill that gap.

The remaining 3,000 Housing Choice Vouchers are available to assist any non-elderly disabled family. The Department is encouraging local housing authorities to give strong consideration to using some or all of these vouchers to provide housing for those non-elderly persons that are living in the community, but are at-risk for institutionalization.

- HUD has been working with the Centers for Medicare & Medicaid (CMS) to collaborate on the [Money Follows the Person (MFP)](https://www.hhs.gov) demonstration program. This demonstration, promotes community-based living for disabled individuals and families with a household member that has disabilities.

The [letter](https://www.hhs.gov) provides information about the MFP program and includes the following: a Question and Answer segment; an appendix containing suggested MFP preference language; and a contact list of people that can assist you if you require further information.
STATE AND LOCAL LAW APPLICABILITY TO LEASE TERMINATIONS

Notice PIH 2009-18, issued June 22, 2009, clarifies the applicability of State and local laws in the HCV program regarding terminations of tenancies by the owner for other good cause. The regulation at 24 CFR 982.310 (d) lists examples that may be included as an “other good cause”. However, a State or local law may prohibit the owner from terminating a tenancy for one or more of the listed examples. The owner would need to comply with the applicable State or local law as the Federal regulation does not override the State or local law.

PROTECTING TENANTS AT FORECLOSURES

The recent increase in foreclosures has had an impact on homes rented by participants of the HCV program. You may have heard from participants that they have been notified from a lender that the family must move (often in less than 30 days) because a foreclosure action has occurred or is in process. The lender may wish the home to be vacated in order to facilitate a re-sale of the home.

On May 20, 2009, the Protecting Tenant at Foreclosure Act of 2009 (PTFA), became law. This law offers certain protections to renters in properties that have gone through foreclosure. The PTFA has a sunset (expiration) date of December 31, 2012.

A notice PIH 2009-17 has been published in the June 24, 2009, Federal Register, providing guidance for HCV participants impacted by foreclosures. The immediate successor owners of foreclosed properties in which HCV participants reside are responsible for complying with the PTFA.

The PTFA provides that the voucher participant resides in the property subject to the lease and HAP contract in place before the foreclosure. The immediate successor may not terminate the lease under the “other good cause” section of the lease. Basically, the lease may run through the term of the lease.

The successor owner may terminate the contract effective on the date of the transfer of title, if:

- The owner will occupy the unit as a primary residence and
- The owner has provided the tenant with a notice to vacate at least 90 days before the effective date of such notice.

HQ is working on another notice that will provide guidance for PHAs to notify owners and participant and for revising the language in the HAP Contract and Tenancy Addendum.

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The San Francisco Office of Public Housing

Homeownership Training*
Wednesday, August 12, 2009
Location: TBD
Cost: $0

Speaker: Mr. David Fleischman
HUD’s National Coordinator - Voucher Homeownership

Mr. Fleischman will discuss

> The new Housing Choice Voucher Homeownership Program Guidebook
> Information and Procedures for PHAs to Acquire and Rehabilitate HUD Real Estate Owned (REO) Properties
> Section 32
> PIC Training, and
> Answer any Questions you may have!

This is your opportunity to ask and get answered any questions you may have about using vouchers for assisting your clients to

* An announcement and instructions on registration will be sent by e-mail to each public housing authority in the San Francisco Office of Public Housing’s jurisdiction by July 10, 2009. Guests or visitors from other locals are welcome!

Homeownership through SECTION 32

The Quality Housing and Work Responsibility Act (QHWRA) allows Public Housing Authorities (PHAs), through Section 32 of the U.S. Housing Act of 1937, to have the option of making their public housing dwelling units available for purchase by low income families as their principal residence, under Section 32, PHAs may:

- Sell all or a portion of a public housing development to eligible public or non-public housing residents;
- Provide Capital Fund assistance to public housing families to purchase homes; or,
- Provide Capital Fund assistance to acquire homes that will be sold to low-income families.

Section 32 can be implemented in conjunction with the Housing Choice Voucher Homeownership Program (HCVHP). The HCVHP program is described separately in the PHA’s Section 8 Administration Plan, if applicable to the PHA. HCVHP can only be used in connection with units that are not currently under ACC or that are released from the ACC as a result of the sale of the unit. For example, lease to purchase programs would not be eligible for HCVHP during the lease phase.

- Nonpurchasing public housing residents may be displaced. In selling a public housing unit under a homeownership program, the PHA must initially offer the unit to the resident occupying the unit if they meet the eligibility requirements. PHAs must provide the resident with notice 90 days prior to the date of the sale of their unit, counseling, relocation expenses, and comparable replacement housing options. The right of first refusal does not extend to residents in nonpublic housing units.

HCV HO Frequently Asked Questions (FAQ)

Q1. Non-elderly and non-disabled families are required to be employed full time for at least 1-year in order to qualify for the program. Is there any continuous employment obligation once they are on the program?

Q2. Does 24 CFR Parts 5, 92 and 908 issued on January 27, 2009 change the definition of income for calculating income for a HCV HO family and do the other provisions also apply to a homeownership family?

Q5. Will a change of family status from non-elderly to elderly or non-disabled to disabled family affect the continuing eligibility and benefits of the HCV HO program for the family?

Answers (Ctrl and Click) or GOTO
http://www.hud.gov/offices/pih/programs/hcv/homeownership/training.cfm

PIC Training  Joyce Prado, PIC Coach
Joyce. J. Prado@hud.gov
A PHA must have a minimum 95 per cent Form 50058 reporting rate for both public housing and HCV at the time of its annual assessment to avoid sanctions. Is your staff up to the challenge? Do they have the tools to do their job?

I am offering PIC training in our San Francisco office to your staff. The training is free of charge. Since I will train one PHA at a time, I can tailor the training to your staff’s needs. The training can be a 1 or 2 day training depending on your needs. Seating is limited to 10 per class.

Don’t miss out on this opportunity! Training is available Monday through Thursday. If you are interested, please E-mail me with a few dates that would work for your staff along with the name and telephone of a contact person.
### 2009 Notices, Rules and Regulations

#### Overview

Below is a list of PIH notices which provide guidance, extensions, instructions, clarifications, announcements and other policy information.

<table>
<thead>
<tr>
<th>PIH Notices by year</th>
<th>Notice</th>
<th>Issued/Expires</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>PIH 2009-17 (FR)</strong> Dated: June 18, 2009</td>
<td>Through this notice, HUD seeks to ensure that individuals or entities that participate in HUD programs or with whom HUD interacts through its programs are aware of obligations imposed on immediate successors of interest in any residential property pursuant to a foreclosure to provide tenants residing in such property, including but not limited to tenants with section 8 rental assistance, with at least 90 days advance notice of the need to vacate the property, where the successor desires to have the tenants vacate. In addition, except for purchasers who will occupy [...]</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>PIH 2009-15 (HA)</strong> Issued: May 18, 2009 Expires: May 31, 2010</td>
<td>The purpose of this Notice is to inform public housing agencies (PHAs) and Tribally Designated Housing Entities (TDHEs) about Integrated Pest Management (IPM).</td>
<td></td>
</tr>
<tr>
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<td><strong>PIH 2009-13 (HA)</strong> Issued: May 6, 2009 Expires: May 31, 2010</td>
<td>This Notice implements the Housing Choice Voucher (HCV) program funding provisions resulting from enactment of the &quot;Omnibus Appropriations Act, 2009&quot; (Public Law 111-8), referred to hereinafter as &quot;the 2009 Act,&quot; enacted on March 11, 2009. The 2009 Act establishes the allocation methodology for calculating housing assistance payments (HAP) renewal funds, new incremental vouchers and administrative fees.</td>
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<td><strong>PIH 2009-12 (HA)</strong> Issued: March 18, 2009 Expires: March 31, 2010</td>
<td>This Notice provides processing information for PHAs regarding the allocation of the $3 billion in formula funds; a Notice of Funding Availability (NOFA) for the award of the $1 billion competitive grant funds will be issued separately. FY 2009 Capital Fund Formula Grants will also be provided through a separate process.</td>
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</tr>
<tr>
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<td><strong>PIH 2009-11 (HA)</strong> Issued: March 16, 2009 Expires: March 31, 2010</td>
<td>As noted in section J of the Implementation of the HUD-Veterans Affairs Supportive Housing (HUD-VASH) Program (Operating Requirements) published in the Federal Register on May 6, 2008, the Department will consider, on a case-by-case basis, requests from a public housing agency (PHA) to project-base HUD-VASH vouchers in accordance with 24 CFR part 983. The purpose of this Notice is to provide guidance to those PHAs that were awarded HUD-VASH vouchers that are interested in project-basing a portion of these vouchers.[...]</td>
<td></td>
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<tr>
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<td><strong>PIH 2009-10 (HA)</strong> Issued: March 5, 2009 Expires: March 31, 2010</td>
<td>This notice updates annual instructions to public housing agencies (PHAs) and field offices for appeals pursuant to 24 CFR part 990, the Public Housing Operating Fund Program, Subpart G, for calendar year (CY) 2009.</td>
<td></td>
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</table>
| | **PIH 2009-9 (HA)** Issued: March 5, 2009 Expires: March 31, 2010 | This Notice updates guidance encouraging ENERGY STAR as the standard for Public Housing Agencies (PHAs). Purchase of ENERGY STAR -labeled products, adoption of the whole-house approach *Home Performance with ENERGY STAR*, which emphasis a holistic approach to building performance and construction of ENERGY STAR qualified residential structures (HOPE VI), by PHAs support the goals of the President's National Energy Policy by reducing the burden of public housing energy costs while increasing [...]

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**HUD San Francisco Office of Public Housing**

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comfort and reducing health risks to public housing residents.

<table>
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<th>Notice</th>
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<th>Date Expires</th>
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<td>PIH 2009-8 (HA)</td>
<td>Feb. 24, 2009</td>
<td>Feb. 28, 2010</td>
<td>This notice informs DVP administering public housing agencies (PHAs) that the DVP has been extended beyond the previously projected end date of February 28, 2009, for all pre-disaster public housing, project-based and pre-disaster homeless and special needs housing families currently receiving DVP assistance.</td>
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<tr>
<td>PIH 2009-3 (HA)</td>
<td>Jan. 16, 2009</td>
<td>Jan. 31, 2010</td>
<td>This Notice informs public housing agencies (PHAs) in Louisiana and Mississippi who are eligible to combine Housing Choice Voucher and public housing operating and capital funds under section 901 of 2006 emergency supplemental appropriations that this flexibility has been extended to include calendar years (CY) 2006, 2007, 2008 and 2009.</td>
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<tr>
<td>PIH 2009-2 (HA)</td>
<td>Jan. 16, 2009</td>
<td>Jan. 31, 2010</td>
<td>This notice provides guidance regarding the calculation of transition funding under the Operating Fund Program for Calendar Year (CY) 2009. The purpose of this notice is to provide public housing agencies (PHAs) with the necessary information for proper budget and program planning.</td>
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<td>PIH 2009-1 (PHA) Extension Notice</td>
<td>Jan. 2, 2009</td>
<td>Jan. 31, 2010</td>
<td>This Notice extends Notice PIH 2008-02 (PHA), same subject, will expire on January 4, 2009, for another year, until January 4, 2010. The purpose of this Notice is to provide guidance on the factors that HUD will consider in determining whether to consent to a taking of public housing property that was developed/acquired by, or is maintained with funds from the United States Housing Act of 1937 by a governmental or quasi-governmental body using eminent domain authority.</td>
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</tbody>
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**It is my pleasure to introduce...**

**Massimo Pacilli** is joining the San Francisco Office of Public Housing as a Summer Intern.

Massimo is a Berkeley PhD student in the department of Chemistry. With a past in the performing arts and his present stage in science, he is looking forward to his experience at HUD to satisfy his interests in the social sciences and to learn about the many programs administered by this office.

**Nick White** came on-board under the Presidential Management Fellows program. Nick will be in the PMF program for 2 years, working on myriad projects within PIH. He will also perform at least one rotation outside of SF PIH as part of his fellowship.

Nick recently graduated from UC Berkeley, where he earned a Master of Public Policy degree. Previously, Nick worked for 6 years for the Army, entering as a Federal Management Intern in 2001. His initial assignment was in Heidelberg, Germany. Subsequently, his career took him to Darmstadt, Germany; Vicenza, Italy; and finally to Moffett Field. At Moffett Field, Nick was the Army’s Residential Communities Initiative Project Manager. He monitored a public-private venture that managed and built new homes for service members at Moffett Field and at Camp Parks (in Dublin).

Nick is excited to work with and learn from everyone here.

**Richard Kim**

Presidential Management Fellow (Program Analyst)

Richard is one of two new Presidential Management Fellows in the HUD Region IX office.

Last spring, Richard completed the Master of Public Policy program at UC-Berkeley’s Goldman School of Public Policy. While in graduate school, he was an intern for the SFpark at the San Francisco Municipal Transportation Agency, helping San Francisco investigate new parking management policies and technologies. He was also a policy consultant for the San Francisco Department of Technology’s TechConnect program, which seeks to provide free broadband internet access to residents in low-income housing.

Prior to graduate school, Richard was responsible for operations and office management at Teach For America’s Bay Area office and received his B.A. from Stanford University’s Program in Comparative Studies in Race and Ethnicity. Originally a Chicagoan, Richard has enjoyed being in the Bay Area for the last 9 years. He looks forward to being a part of HUD and the Office of Public Housing.